

106TH CONGRESS
1ST SESSION

S. 1564

To protect the budget of the Federal courts.

IN THE SENATE OF THE UNITED STATES

AUGUST 5, 1999

Mr. COCHRAN (for himself, Mr. STEVENS, Mr. ROTH, and Ms. COLLINS) introduced the following bill; which was read twice and referred jointly pursuant to the order of August 4, 1977, to the Committees on the Budget and Governmental Affairs, with instructions that if one committee reports, the other committee have thirty days to report or be discharged

A BILL

To protect the budget of the Federal courts.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Federal Courts Budget
5 Protection Act”.

6 **SEC. 2. BUDGET ESTIMATES.**

7 (a) IN GENERAL.—Section 605 of title 28, United
8 States Code, is amended to read as follows:

1 **“§ 605. Budget estimates**

2 “(a) Notwithstanding section 1105(b) of title 31, the
3 Director, under the supervision of the Judicial Conference
4 of the United States, shall submit to Congress before Jan-
5 uary 25 of each year annual estimates of the following:

6 “(1)(A) The expenditures and appropriations
7 necessary for the maintenance and operation of the
8 courts and the Administrative Office and the oper-
9 ation of the judicial survivors annuity fund and any
10 supplemental and deficiency estimates as may be re-
11 quired for such purposes according to law.

12 “(B) The estimates required by this paragraph
13 shall be approved, before presentation to Congress,
14 by the Judicial Conference of the United States, ex-
15 cept that the estimate with respect to the Court of
16 International Trade shall be approved by that court
17 and the estimate with respect to the United States
18 Court of Appeals for the Federal Circuit shall be ap-
19 proved by that court.

20 “(2)(A) The expenditures and appropriations
21 necessary for real property construction activities,
22 including construction and acquisitions and repairs
23 and alterations, related to United States courthouses
24 and other space occupied by entities of the judicial
25 branch.

1 “(B) For the purpose of preparing estimated
2 expenditures and appropriations under this para-
3 graph, the Administrator of General Services shall,
4 at such times as are required by Congress or the ju-
5 dicial branch to ensure timely development and con-
6 sideration of courthouse needs and budget requests,
7 prepare and submit directly—

8 “(i) prospectuses, including cost estimates,
9 for future judicial branch construction, acquisi-
10 tion, and repair and alteration projects to the
11 Director, the Committee on Environment and
12 Public Works of the Senate, the Committee on
13 Transportation and Infrastructure of the House
14 of Representatives, and the Committees on Ap-
15 propriations of the Senate and House of Rep-
16 resentatives; and

17 “(ii) preliminary planning, design and cost
18 estimates of future judicial branch construction,
19 acquisition, and repair and alteration projects
20 to the Director.

21 “(C) In accordance with estimates prepared
22 under this paragraph, funds may be appropriated to
23 the judicial branch for deposit into the Federal
24 Buildings Fund for the construction, acquisition,
25 and repair and alteration of Federal courthouses.

1 Funds deposited into the Federal Buildings Fund
2 under this subparagraph shall not be available for
3 expenses in connection with any construction, acqui-
4 sition, and repair and alteration project for which a
5 prospectus, if required by section 7 of the Public
6 Buildings Act of 1959 (40 U.S.C. 606), has not
7 been approved, except that necessary funds may be
8 expended for each project for required expenses in
9 connection with the development of a proposed pro-
10 spectus.

11 “(b)(1) The estimates submitted to Congress under
12 subsection (a) shall also be submitted to the President for
13 inclusion in the budget of the United States. In including
14 the estimates in the budget, the President shall make no
15 change or alterations whatsoever, and shall not impose or
16 otherwise recommend, directly or indirectly, implementa-
17 tion of a negative allowance, rescission, or any other form
18 of reduction or change to such estimates.

19 “(2) For the purpose of preparing a unified Federal
20 budget by the President, the Director shall transmit to
21 the President—

22 “(A) preliminary estimated expenditures and
23 proposed appropriations for the judicial branch be-
24 fore October 16 of each year; and

1 “(B) final estimated expenditures and proposed
2 appropriations for the judicial branch before Decem-
3 ber 24 of each year, and such final estimates shall
4 be identical to the estimates to be submitted to Con-
5 gress under subsection (a).

6 “(c) The Director shall cause periodic examinations
7 of the judicial survivors annuity fund to be made by an
8 actuary, who may be an actuary employed by another de-
9 partment of the Government temporarily assigned for the
10 purpose, and whose findings and recommendations shall
11 be transmitted by the Director to the Judicial Con-
12 ference.”.

13 (b) RESPONSIBILITIES OF THE ADMINISTRATOR.—
14 Except for the budget submission process provided in sec-
15 tion 605(a)(2) of title 28, United States Code, as added
16 by subsection (a) of this section, the responsibilities of the
17 Administrator of General Services for—

18 (1) assessing, with the Director of the Adminis-
19 trative Office, facility requirements and specifica-
20 tions and costs for the judicial branch; and

21 (2) the planning and performance of construc-
22 tion and repair and alteration functions for the judi-
23 cial branch;

- 1 shall not be affected by section 605(a) of title 28, United
- 2 States Code, as added by subsection (a).

○